

at least one spray nozzle secured at the distal end of the second water conduit and in fluid communication therewith, said spray nozzle delivering a fine evaporative cooling mist of water in the vicinity of the person when pressurized water is communicated to the spray nozzle;

means for securing the container to the person;

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a clip secured to said second water conduit for attaching said second water conduit to an article of clothing of the person, whereby said spray nozzle may be positioned for providing said cooling mist of water in the vicinity of the person for hands free operation of the misting apparatus; and

a valve for controlling flow of water through said second water conduit and connected to said second water conduit between said container and said spray nozzle.

#### REMARKS

By the foregoing Amendments, Claims 5 and 11 have been amended. Favorable reconsideration of the application is respectfully requested.

Claims 5, 8 and 9 were rejected on the grounds of obviousness from Chow in view of Phister. Claim 5 has now been amended to recite "a clip secured to said second water conduit for attaching said second water conduit to an article of clothing of the person, whereby said spray nozzle may be positioned for providing said cooling mist of water in the vicinity of the person for hands free operation of the misting apparatus." Chow discloses a compressed air sprayer with a hose, a

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wand assembly, and a nozzle do not provide any clip for securing the hose to the person or positioning the nozzle in the vicinity of the person for hands free operation. Phister discloses a fire extinguisher having a nozzle on a hose, also without any clip for securing the hose to the person or positioning the nozzle in the vicinity of the person for hands free operation. It is therefore respectfully submitted that Claims 5, 8 and 9 are novel and inventive over the references cited, and that the rejection of Claims 5, 8 and 9 on the grounds of obviousness from Chow in view of Phister should be withdrawn.

Claims 7 and 11-16 were also rejected on the grounds of obviousness from Chow in view of Phister and Carter. Carter discloses a firefighting back tank and pump, with a hose and nozzle, and does not provide a clip for securing the hose to the person or positioning the nozzle in the vicinity of the person for hands free operation. Claim 7 depends from Claim 5, and in view of the remarks above regarding Chow and Phister, it is respectfully submitted that Claim 7 is thus also novel and inventive over Chow, Phister and Carter. Claim 11 also recites "a clip secured to said second water conduit for attaching said second water conduit to an article of clothing of the person, whereby said spray nozzle may be positioned for providing said cooling mist of water in the vicinity of the person for hands free operation of the misting apparatus." It is therefore respectfully submitted that Claims 7 and 11-16 are novel and inventive over the references cited, and that the rejection of Claims 7 and 11-16 on the grounds of obviousness from Chow in view of Phister and Carter should be withdrawn.

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Claim 6 was also rejected under 35 U.S.C. 103(a) on the grounds of obviousness from Chow in view of Phister and Jahraus. Jahraus was cited as disclosing a spray system having a plurality of spray wands that are belted onto a person, and that are held in position by clips 27, shown in Abb. 1 of Jahraus. As noted above, Claim 5 as amended recites "a clip secured to said second water conduit for attaching said second water conduit to an article of clothing of the person, whereby said spray nozzle may be positioned for providing said cooling mist of water in the vicinity of the person for hands free operation of the misting apparatus." From the drawing in Jahraus, it is clear that the elements 27 are connected to the shoulder straps 5 of the apparatus, and are not attached to an article of clothing of a person. It is therefore respectfully submitted that Claim 6 is also novel and inventive over Chow, Phister, and Jahraus, and that the rejection of Claim 6 on the grounds of obviousness should also be withdrawn.

The Applicant wishes to thank the Examiner for the indication of allowable subject matter Claims 10 and 17, which were rejected only because they depend from a rejected base claim. Applicant respectfully defers amending these claims until final disposition of Claims 5-9 and 11-16.

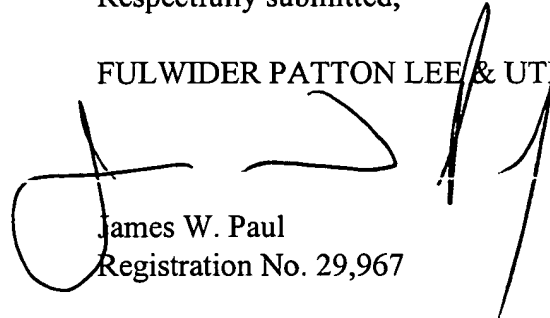
The Examiner also continued to require illustration of a fanny pack bag. A copy of Figure 1 is also enclosed for the Examiner's review, showing a proposed correction in red ink to show a bag identified by the reference number 4, and the specification has been amended to refer to the proposed correction of Figure 1 to show the bag. Upon approval of the proposed correction to Figure 1, Applicant proposes to submit formal corrected drawings.

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In light of the foregoing, it is respectfully submitted that the application should now be in a condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'James W. Paul', is written over the printed name and registration number.

James W. Paul  
Registration No. 29,967

JWP/tah  
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Proposed Corrected drawing

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